

EXHIBIT 96

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND
CAUSE NOS. 1:16-cv-46-S and 1:16-cv-447-S
SHEET METAL WORKERS LOCAL)
NO. 20, et al.,)
Plaintiffs,)
-vs-)
CVS PHARMACY, INC., et al.,)
Defendants.)

VIDEO DEPOSITION OF HAZEL COMPTON

The deposition upon oral examination of
HAZEL COMPTON, a witness produced and sworn before me,
Amy Doman, RPR, CRR, CSR No. 10-R-3022, Notary Public
in and for the County of Hamilton, State of Indiana,
taken on behalf of the Defendants, at the offices of
Ice Miller, LLP, One American Square, Suite 2900,
Indianapolis, Indiana, scheduled to begin at 9:00 a.m.,
on Thursday, February 14, 2019, pursuant to the Federal
Rules of Civil Procedure.

1 MR. TASIC: Objection to form.

2 A Yes.

3 BY MR. RENDELL:

4 Q Did you expect Segal to make recommendations
5 regarding prescription drug benefits for the fund?

6 A Yes.

7 Q Did you expect them to stay abreast of developments
8 in the prescription drug market?

9 A Yes.

10 Q Did you expect them to let you know if something
11 important happened in the prescription drug market?

12 MR. TASIC: Objection to form.

13 A Yes.

14 BY MR. RENDELL:

15 Q Did you expect them to present information to the
16 trustees that would be important in making
17 decisions about prescription drug benefits?

18 A Yes.

19 Q To offer prescription benefits, the fund had a
20 contract with a pharmacy benefits manager, correct?

21 A Yes.

22 Q Will you understand if I refer to pharmacy benefits
23 managers as PBMs for simplicity?

24 A Yes.

25 Q Have you heard the term "PBM" before?

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1 A Yes.

2 Q In your understanding, what is a "PBM"?

3 A Exactly what it is, a pharmacy benefit manager.

4 They are the entity that, you know, we would enter
5 into an arrangement with for drug pricing.

6 Q Do you understand that they adjudicate claims
7 related to prescription benefits?

8 A Yes.

9 Q In the 2008 to 2016 time period, the fund's PBM was
10 Caremark, correct?

11 A Yes.

12 Q The fund's trustees entered into a contract with
13 Caremark for PBM services, correct?

14 A Yes.

15 Q The contract set out what services Caremark would
16 provide for the fund, right?

17 A Yes.

18 Q The contract also set out what the fund would pay
19 for the services Caremark was providing, right?

20 A Yes.

21 (Deposition Exhibit 7 was marked for
22 identification.)

23 Q I'd like to show you another document, which will
24 be marked Exhibit 7. Do you recognize this
25 document?

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1 A Yes.

2 Q Do you see the title of this document says,
3 "Prescription Benefit Services Agreement"?

4 A Yes.

5 Q Looking below that title, do you see the paragraph
6 that says, "This prescription benefit services
7 agreement, the agreement, is entered into as of
8 January 1, 2015, the effective date, between
9 Caremark PCS Health, LLC, a Delaware limited
10 liability company, Caremark, and Sheet Metal
11 Workers Local Number 20, Welfare and Benefit Fund,
12 client, to sponsor the health benefit plan." Do
13 you see that?

14 A Yes.

15 Q Below that, do you see the next paragraph that
16 says, "Client has established a health benefit plan
17 for its plan participants and hereby retains
18 Caremark to provide certain prescription benefit
19 management, disease management, and specialty
20 pharmacy services with respect to client's health
21 benefit plan and plans."

22 A Yes.

23 Q Below that, do you see the line that says,
24 "Caremark agrees to provide such services pursuant
25 to the terms and conditions of this agreement"?

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1	STATE OF INDIANA)	
)	SS:
2	COUNTY OF HAMILTON)	

4 I, Amy Doman, RPR, CRR, CSR No. 10-R-3022,
5 Notary Public in and for the County of Hamilton,
6 State of Indiana, at Large, do hereby certify that
7 HAZEL COMPTON, the deponent herein, was by me first
8 duly sworn to tell the truth, the whole truth, and
9 nothing but the truth in the aforementioned
10 matter;

11 That the foregoing deposition was taken on
12 behalf of the Defendants, at the offices of Ice
13 Miller, LLP, One American Square, Suite 2900,
14 Indianapolis, Indiana, on Thursday,
15 February 14, 2019, pursuant to the Federal Rules of
16 Civil Procedure;

17 That said deposition was taken down in
18 stenograph notes and afterwards reduced to
19 typewriting under my direction, and that the
20 typewritten transcript is a true record of the
21 testimony given by the said deponent; and that
22 signature was requested by the deponent and all
23 parties present;

24 That the parties were represented by their
25 counsel as aforementioned.

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1 I do further certify that I am a disinterested
2 person in this cause of action, that I am not a
3 relative or attorney of either party or otherwise
4 interested in the event of this action, and that I
5 am not in the employ of the attorneys for any
6 party.

7 IN WITNESS WHEREOF, I have hereunto set my
8 hand and affixed my notarial seal this 18th day
9 of February, 2019.

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14 Amy Doman, RPR, CRR, CSR No. 10-R-3022
15 Notary Public
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18 My Commission Expires:
19 September 30, 2025,
20 Residing in Hamilton County, Indiana
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